

REMARKS

Restriction Requirement

Applicants affirm the election of Group I (claims 1-10) drawn to a label sheet and reserve the right to request rejoinder of claims 11-16 (Group II) drawn to a method of using a label sheet of Group I. If the label sheets of Group I are found to be allowable, it would not be an undue burden to extend examination to methods for using these patentable label sheets.

Declaration

Applicants submit that the Declaration is not defective in that it does include the complete name of the inventor (written in type and hand) as admitted by the Examiner in referring to pages 2 and 3 of the declaration for the inventors complete name.

Objection Under 35 USC §112, first paragraph

Applicants corrected the reference to Fig. 3 and other errors in the specification. Applicants submit that the specification now complies with 35 USC §112, first paragraph.

Rejection Under 35 USC §112, second paragraph

Claim 1 has been amended to clarify that the label sheet comprises “two opposing printable sides”. This amendment does not narrow the scope of the claims.

Rejection under 35 USC §102(e)

The rejection under 35 USC §102(e) based on Fox (U.S. 6,254,952) cannot be maintained. While the ties and face sheets of Fox et al. conform to the label sheets claimed herein, and the claims of Fox et al. encompass the embodiments of this invention, the broad generic language of these claims and the supporting disclosure do not specifically describe label sheets with two printable sides. Therefore, Fox et al. does not anticipate the label sheets claimed herein. No evidence has presented which shows that Fox et al. describes label sheets with two opposing printable sides or that the label sheets described inherently have two opposing printable

sides. Without such evidence, Fox et al. does not anticipate the claimed invention and the rejection under 35 USC §102(e) cannot be maintained.

Rejection Under 35 USC §103(a)

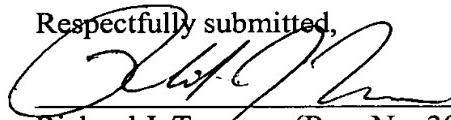
While the ties and face sheets in the labels sheets of Fox et al. conform to those of the label sheets claimed herein and Fox et al. show that these ties prevent delamination in single pass printing, there is no teaching within the Fox et al. reference that these ties will prevent delamination from a second printing, either on the same side or the opposing side of the label sheet. Therefore, one skilled in the art would not be motivated to provide a printable surface on the opposing side of the face sheets on the label sheets of Fox et al.

Modification of the label sheets described by Fox et al. would not be an obvious matter of design choice since one skilled in the art would not know whether the ties of Fox et al. would prevent delamination after a second pass through a printing with flexing/curling in the direction opposite that which occurs during the first printing. Therefore, the label sheets of claim 1 and the claims which depend thereon are unobvious in view of Fox et al.

The label sheets of this invention having labels on each side are further distinguished from the teachings of Fox et al. Such a modification is not a simple matter of the duplication of parts. As stated in the "Background of the Invention," the additional heating of duplex printing from two runs through a fuser and the extra manipulation of the media needed to turn it around and run it through the printing process exacerbates the delamination problem and the problem of the adhesive coming off the media into the printer. Fox et al. describes a label sheet that prevents delamination when printing in a single pass. Based on this disclosure, it is not known whether the label sheets of Fox et al. could resist delamination under the conditions of a second printing. It clearly would but be unobvious that a label sheet of Fox et al. with additional labels on the opposite side of the label sheet would function under the conditions of a second printing without delamination.

Based on the above remarks, Applicants submit that claims 1-10 are in a form suitable for allowance and are patentable over cited reference. Therefore, the allowance of these claims and the rejoinder of claims 11-16 are earnestly solicited.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

Paragraph beginning at page 5, line 16, has been amended as follows:

Pharmacy scripts have enjoyed years of commercial use in the United States, and have various conventional constructions and configurations, with multiple pressure sensitive labels attached to a liner integrated with an attached form sheet. More specifically, the release liner 20 illustrated in Figure 1 has a leading edge 20a which first travels through the corresponding path inside the ~~printer 10 illustrated in Figures 1 and 2~~ printer. As used herein, leading edges are those edges which first travel along the feed path through the printer, with trailing edges being opposite edges along the travel or feed direction which last follow the corresponding leading edges through the printer.

Paragraph beginning at page 6, line 3, with the following rewritten paragraph:

The overlay 22 in the preferred embodiment illustrated in Figure 3 2 has a plurality of laterally narrow labels 30 laterally adjoining each other, and which are laterally straddled by a pair of wide labels 32 extending laterally to the opposite left and right sides of the liner. The narrow labels 30 are about 12 mm wide, and relatively narrow compared to the wider labels 32 which are about 90 mm in width, for example. The narrow labels 30 are about 41 mm in length or height, as compared to the larger wide labels 32 which are 50 mm in height, for example.

Please replace the paragraph bridging pages 6 and 7, with the following rewritten paragraph:

The specific configuration of the pharmacy script illustrated in Figures 1 and 2 is controlled by its specific intended use. The script is a specialty configuration, having specially configured labels and form sheet. As a result thereof, the feed strip 28 contains a legend stating "FEED THIS DIRECTION" and corresponding arrows which point vertically upwardly along the height of the strip for ensuring the proper feeding of the script in the laser printer 10. The printer is software controlled by a corresponding computer which includes all the desired information being printed

atop the script during a transaction.

IN THE CLAIMS

Claim 1 has been amended as follows:

1. **(Amended)** A label sheet for duplex printing which comprises two opposing printable sides, a face sheet, an adhesive layer bonded to the face sheet and a release liner removably adhered to the adhesive,

said label sheet having: two printable sides of the sheet, at least one removably adhered label defining an area on the surface of at least one side of the face sheet, and a tie tying the label to another area on the same surface of the face sheet.